

## Remarks

The applicant is responding to the Office Action of June 29, 1999. Also enclosed is a petition under 37 C.F.R. 1.137(b) and the petition filing fee.

In response to the Office Action, the application has cancelled without prejudice several claims and amended other claims. Claim 13 is currently the sole, independent claim, and is patentable in light of the references. Andersson discloses a pylon made of a number of interfitting sections, all of which are hollow (column 5, lines 49-50). Papin also discloses a hollow tubular pole. None of the references, individually or in combination, disclose or suggest Claim 13 in which the lower and top members are solid plastic members and the intermediate member is a hollow plastic member, in which the three portions are interconnected at their meeting ends. The advantages of this construction are disclosed in the specification, and include the primary object of the invention which is to provide a utility pole in which the portion that is above ground and at the level of a motor vehicle is relatively weak so that it will break if struck by a motor vehicle with sufficient force. Since this intermediate portion has connectors at each end, a new such portion can replace the broken portion to rebuild the pole without having to dig up the pole from the ground, or touch the wires that are connected to the top portion. The top and bottom portions are solid to provide more strength to hold the pole up and to carry utility wires.

As to the declaration, it does identify the residence of the inventor and the citizenship of the inventor (see the first line and the last line). If a different form is required for the priority claim, this will be provided.

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned in Worcester, Massachusetts, (508) 791-8500.

Respectfully submitted,



Brian M. Dingman

Reg. No. 32,729